

UNITED STATES DISTRICT COURT FOR

THE NORTHERN DISTRICT OF CALIFORNIA (San Jose Division)

KEVIN GLORIA,

Plaintiff,

vs.

HOME DEPOT, INC.;  
TRICAM INDUSTRIES, and  
DOES 1 through 100,

Defendants.

Case No. C08-01672 JW

**ORDER TO SHOW CAUSE RE:  
SETTLEMENT**


On October 13, 2009, Defendants notified the Court that the above-entitled matter has reached a settlement. (See Docket Item No. 97.) In light of the settlement, the Court vacates all trial and pretrial dates. On or before **December 4, 2009**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca on **December 14, 2009 at 9 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **December 4, 2009**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

In light of this Order, all pending Motions in Limine are DENIED as moot. (See Docket Item No. 81, 82, 83, 84, 88.)

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: October 14, 2009

  
JAMES WARE  
United States District Judge